REMARKS

Status of Claims

In response to the Office Action dated January 18, 2007, claims 1-3 have been amended.

Claims 1-10 are now pending in this application. No new matter has been added.

Objection to title of invention

The Examiner has objected to the Title of the Invention as not being descriptive.

By this response, the Title of the Invention has been changed to "DIGITAL CAMERA

HAVING COMPOSITION DETERMINING OPERATION FOR TEMPORARILY STORING

FREEZE IMAGE DATA REPRESENTATIVE OF A COMPOSITION", which is believed to be

descriptive of the invention. Consequently, withdrawal of the objection to the Title of the

Invention is respectfully solicited.

Rejection of claims under 35 U.S.C. § 103

I.   Claims 1 and 4 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over

Wiezel et al. (U.S. 2003/0169350) in view of Sannoh et al. (U.S. 2002/0149689).

Claims 2, 3, 5, 6 and 7 have been rejected under 35 U.S.C. § 103(a) as being unpatentable

over Wiezel et al. in view of Sannoh et al. and Nakamura (U.S. 2001/0008423).

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Claim 8 has been rejected under 35 U.S.C. § 103(a) as being unpatentable over Wiezel et

al. in view of Sannoh et al., as applied to claim 1, and further in view of Lavelle et al. (USPN

6,362,851).

Claims 9 and 10 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over

Wiezel et al. in view of Sannoh et al. and Nakamura, as applied to claims 2 and 3, and further in

view of Lavelle et al.

II.   In the Office Action, the Examiner maintains that in Wiezel et al., selectively uploading

photo templates representing a composition to the digital camera corresponds to obtaining and

temporarily storing freeze image data representative of a composition in response to a

composition determining operation.   However, in Wiezel et al., the templates are all

predetermined and, as indicated by the Examiner, uploaded to the digital camera from a source

such as a CD or a computer. In contrast, the freeze image data of the present application that is

temporarily stored is obtained using the solid state imaging device (see, for example, page 15,

lines 4-22). It is this data, obtained as a result of the composition determining operation, upon

which the composition that is displayed on the display section in a superimposing manner is

based.

To expedite prosecution, independent claim 1 has been amended to add:

> , wherein
> the freeze image data that is temporarily stored is obtained using the solid
> state imaging device operating in a distinct camera operation mode.

Independent claims 2 and 3 are similarly amended.

The obtaining of the freeze image data using the solid state imaging device operating in a distinct camera operation mode is not disclosed or suggested in Wiezel et al., Sannoh et al., Nakamura or Lavelle et al. Thus, amended independent claims 1-3, as well as dependent claims 4-10, are patentable over Wiezel et al., Sannoh et al., Nakamura and Lavelle et al., considered alone or in combination. Consequently, the allowance of claims 1-10, as amended, is respectfully solicited.

CONCLUSION

In view of the above amendment, applicant believes the pending application is in condition for allowance.

Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact Edward J. Wise (Reg. No. 34,523) at the telephone number of the undersigned below, to conduct an interview in an effort to expedite prosecution in connection with the present application.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies

to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional

fees required under 37.C.F.R. §§1.16 or 1.14; particularly, extension of time fees.

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Respectfully submitted,

By _____

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